HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R. No.6778 of 2006
Date of decision : 18.12.2006.

North India Hotels and Inds. P.Ltd. .....Petitioner

versus

Municipal Corporation, Jalandhar .....Respondent

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present : Mr.Arun Jain, Advocate for the petitioner.

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ORDER

HEMANT GUPTA, J. (Oral)

The challenge in the present revision petition is to the order dated 10.10.2006, passed by the learned trial Court, whereby the evidence of the plaintiff was closed except the cross-examination of PW J.K.Puri.

Learned counsel for the petitioner states that the case is fixed for 19.12.2006 and PW- J.K.Puri has not been cross-examined so far. Learned counsel for the petitioner has undertaken that if one opportunity is granted to the plaintiff-petitioner, he shall produce his entire evidence and shall also compensate the defendant for the delay, if any, in leading evidence.

In view of the above, the plaintiff-petitioner is permitted to lead his entire evidence on the date which may be fixed for cross-examination of PW-J.K.Puri, subject to payment of Rs.10,000/- as costs. Out of the said costs, Rs.5000/- shall be deposited with the Bar Association, Jalandhar and balance Rs.5000/- shall be payable to the respondent. On deposit of the said costs, the plaintiff-petitioner shall be

permitted to lead his evidence. However, it is made clear that petitioner-plaintiff shall not be entitled for any other opportunity to lead his evidence, except on the date on which PW-J.K.Puri is to be cross-examined by the defendant.

The revision petition stands disposed of accordingly.

Copy of the order be given dasti on payment of usual charges.

(HEMANT GUPTA)
JUDGE

December 18, 2006
**mohinder*